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RIGHTS OF THE CHILD

Written statement submitted by the Friends World Committee for Consultation (Quakers), a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[14 November 1997]

Child soldiers*

1. As part of the follow-up to the United Nations study on the impact of armed conflict on children, UNICEF, in cooperation with the NGO Sub-Group on Refugee Children and Children in Armed Conflict, organized a workshop and symposium on child soldiers in Africa from 23 to 30 April 1997 in Cape Town, South Africa. The outcome of these meetings was a document entitled "Cape Town Principles on the Prevention of Recruitment of Children into the Armed Forces and Demobilization and Social Reintegration of Child Soldiers in Africa", which was adopted by the symposium participants on 30 April 1997, an annotated version of the Principles and a draft plan of action.

2. Although the specific focus of the workshop and symposium and the documents adopted was on child soldiers in Africa, the Principles have much broader applications. Friends World Committee for Consultation (Quakers) is therefore attaching the Cape Town Principles as part of this statement and urges the Commission on Human Rights:

(a) To draw the Cape Town Principles on the Prevention of Recruitment of Children into the Armed Forces and Demobilization and Social Reintegration of Child Soldiers in Africa to the attention of States and international and non-governmental organizations;

(b) To consider how it can assist with their implementation.

CAPE TOWN PRINCIPLES ON THE PREVENTION OF RECRUITMENT OF CHILDREN INTO THE ARMED FORCES AND DEMOBILIZATION AND SOCIAL REINTEGRATION OF CHILD SOLDIERS IN AFRICA

Adopted by the participants in the Symposium on the Prevention of Recruitment of Children into the Armed Forces and Demobilization and Social Reintegration of Child Soldiers in Africa, organized by UNICEF in cooperation with the NGO Sub-Group of the NGO Working Group on the Convention on the Rights of the Child, Cape Town, 30 April 1997.

PREVENTION OF CHILD RECRUITMENT

"Recruitment" encompasses compulsory, forced and voluntary recruitment into any kind of regular or irregular armed force or armed group.

1. Establish 18 as the minimum age for any participation in hostilities and for all forms of recruitment into all armed forces and armed groups.

2. Governments should adopt and ratify an optional protocol to the Convention on the Rights of the Child raising the minimum age from 15 to 18.

3. Governments should ratify and implement pertinent regional and international treaties and incorporate them into national law.

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* Submitted on behalf of the NGO Sub-Group on Refugee Children and Children in Armed Conflict, one of the sub-groups of the NGO Group for the Convention on the Rights of the Child.

4. Governments should adopt national legislation on voluntary and compulsory recruitment with a minimum age of 18 years and should establish proper recruitment procedures and the means to enforce them. Those responsible for illegally recruiting children should be brought to justice.

5. A permanent International Criminal Court should be established whose jurisdiction would cover, inter alia, the illegal recruitment of children.

6. Written agreements between or with all parties to the conflict which include a commitment on the minimum age of recruitment should be concluded.

7. Monitoring, documentation and advocacy are fundamental to eliminating child recruitment and to informing programmes to this end. Community efforts to prevent recruitment should be developed and supported.

8. Programmes to prevent recruitment of children should be developed in response to the expressed needs and aspirations of the children.

9. In programmes for children, particular attention should be paid to those most at risk of recruitment: children in conflict zones, children (especially adolescents) separated from or without families, including children in institutions; other marginalized groups (e.g. street children, certain minorities, refugees and the internally displaced); economically and socially deprived children.

10. All efforts should be made to keep or reunite children with their families or to place them within a family structure.

11. Ensure birth registration, including for refugees and internally displaced children, and the provision of identity documents to all children, particularly those most at risk of recruitment.

12. Access to education, including secondary education and vocational training, should be promoted for all children, including refugee and internally displaced children.

13. Special protection measures are needed to prevent recruitment of children in camps for refugees and internally displaced persons.

14. The international community should recognize that children who leave their country of origin to avoid illegal recruitment or participation in hostilities are in need of international protection. Children who are not nationals of the country in which they are fighting are also in need of international protection.

15. Controls should be imposed on the manufacture and transfer of arms, especially small arms. No arms should be supplied to parties to an armed conflict who are recruiting children or allowing them to take part in hostilities.

DEMOBILIZATION

"Demobilization" means the formal and controlled discharge of child soldiers from the army or from an armed group.

16. All persons under the age of 18 should be demobilized from any kind of regular or irregular armed force or armed group.

17. Children should be given priority in any demobilization process.

18. In anticipation of peace negotiations or as soon as they begin, preparations should be made to respond to children who will be demobilized.

19. The issue of demobilization of children should be included in the peace process from the beginning.

20. Where children have participated in armed conflict, peace agreements and related documents should acknowledge this fact.

21. The demobilization process should be designed as the first step in the social reintegration process.

22. The demobilization process should be as short as possible and take into account the human dignity of the child and the need for confidentiality.

23. As soon as possible start establishing family tracing, contacts and reunification.

24. Health assessment and treatment should be priorities.

25. Monitoring and documentation of child involvement, as well as advocacy for demobilization and release of children, should be undertaken throughout the armed conflict. Community efforts to this end should be supported.

26. Children who leave any armed forces or groups during ongoing hostilities have special needs for protection which must be addressed.

27. Illegally recruited children who leave the armed forces or armed groups at any time should not be considered as deserters. Child soldiers retain their rights as children.

28. Special assistance and protection measures must be taken on behalf of children and those recruited as children.

29. Ensure to the extent possible that demobilized children return to their communities under conditions of safety.

30. Ensure that demobilized children are not discriminated against in services and benefits for demobilized soldiers.

31. Ensure that the rights of children involved in the demobilization process are respected by the media, researchers and others.

RETURN TO FAMILY AND COMMUNITY LIFE

32. Family reunification is the principal factor in effective social reintegration.

33. Programmes should be developed with the community [and] built on existing resources, taking account of the context and community priorities, values and traditions.

34. The capacity of the family and community to care for and protect the child should be developed and supported.

35. Programmes targeted at former child soldiers should be integrated into programmes for the benefit of all war-affected children.

36. Provision should be made for educational activities which reflect: the loss of educational opportunities as a consequence of participation; the age and stage of development of the children; and their potential for promoting development of self-esteem.

37. Provision should be made for relevant vocational training and opportunities for (self-) employment, including for children with disabilities.

38. Recreational activities are essential for psycho-social well-being.

39. Programme development and implementation should incorporate the participation of the children and, with due regard for the context of reintegration, reflect their needs and concerns.

40. Psycho-social programmes should assist children to develop and build those capacities that will facilitate a re-attachment to families and communities.

41. Monitoring and follow-up of the children should take place to ensure reintegration and receipt of rights and benefits. Use community resources for this, e.g. catechists, teachers or others, depending on the situation.

42. In order to be successful, reintegration of the child within the community should be carried out in the framework of efforts towards national reconciliation.

43. Programmes to prevent, demobilize and reintegrate child soldiers should be jointly and constantly monitored and evaluated with communities.